

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

In the Matter of)
)
OPTIONS FOR 470-512 MHz SPECTRUM) PS Docket 13-42)
)

**COMMENTS OF THE
LOS ANGELES REGIONAL INTEROPERABLE COMMUNICATIONS SYSTEM
JOINT POWERS AUTHORITY**

The Los Angeles Regional Interoperable Communications System Joint Powers Authority ("LA-RICS") hereby submits the following comments in response to the Commission's *Public Notice*, DA 13-187 (February 11, 2013), in the above-captioned proceeding concerning implementation of the Section 6103 of the Middle Class Tax Relief and Job Creation Act of 2012 (the "Act") as it applies to the 470-512 MHz band (the "T-Band").¹

LA-RICS was formed by the City of Los Angeles, County of Los Angeles and more than 80 other municipalities and public sector entities. LA-RICS has been working on a new multi-agency, interoperable radio communications system that will serve the over 10 million residents of the Los Angeles metropolitan area, a population that is greater than 42 of the 50 states. LA-RICS will support a total user population of more than 34,000 first responders and up to 17,000 secondary responders. As the Commission is aware, LA-RICS had been planning for its voice communications platform to operate in portions of the T-Band, which has long been the principal

¹ As explained in the *Public Notice* (footnotes omitted):

Section 6103 provides that, not later than nine years after the date of enactment, the Commission shall (1) "reallocate the spectrum in the 470-512 MHz band ... currently used by public safety eligibles," and (2) "begin a system of competitive bidding under Section 309(j) of the Communications Act of 1934 (47 U.S.C. 309(j)) to grant new initial licenses for use of the spectrum." It provides that "relocation of public safety entities from the T-Band Spectrum" shall be completed not later than two years after completion of the system of competitive bidding, and that proceeds from the auction of T-Band spectrum "shall be available to the Assistant Secretary [of Commerce for Communications and Information] to make grants in such sums as necessary to cover relocation costs for the relocation of public safety entities from the T-Band spectrum."

frequency band for Los Angeles area public safety agencies.² LA-RICS is not itself a frequency licensee, though it will utilize frequencies provided by its member jurisdictions.

The National Public Safety Telecommunications Council (“NPSTC”) recently issued a comprehensive report on the T-Band (NPSTC Report).³ The NPSTC Report includes extensive data and analysis that responds to many of the questions posed by the Commission in the *Public Notice*. LA-RICS was an integral participant in developing the NPSTC Report and supports its findings and recommendations. We provide these additional comments in further response to the *Public Notice*.

The Commission seeks comments as to whether there is other spectrum available to accommodate T-Band licensees forced to relocate because of Section 6103 of the Act. That issue has already been largely addressed for Los Angeles. In 2008, the Commission granted Los Angeles County a waiver to use 6 MHz of additional T-Band spectrum, based on the Commission’s findings that there is not enough spectrum in other bands to accommodate the requirements of Los Angeles area public safety agencies.⁴ While the 700 MHz broadband spectrum was not available at that time, that spectrum will not in any event accommodate mission-critical voice communications in the foreseeable future.⁵

² The spectrum at 482-488 MHz is allocated exclusively for public safety in Los Angeles and provides the core spectrum for the Los Angeles County Sheriff’s Department and other agencies’ communications systems. Portions of 470-476 MHz and 506-512 MHz are also assigned to public safety agencies in the region. Pursuant to a waiver, the County of Los Angeles also has licenses to operate a new public safety system in 476-482 MHz as part of LA-RICS. *See* County of Los Angeles, *Order*, DA 08-2823, 23 FCC Rcd 18389 (2008) .

³ National Public Safety Telecommunications Council, *T-Band Report* (Mar. 15, 2013). NPSTC is filing the Report in this docket. A copy can also be found at: http://www.npstc.org/download.jsp?tableId=37&column=217&id=2678&file=T_Band_Report_20130315.pdf

⁴ County of Los Angeles, *Order*, DA 08-2823, 23 FCC Rcd 18389 (2008) .

⁵ *See* NPSTC Report at 31.

Section 6103 of the Act has forced LA-RICS to explore a variety of options that would allow it to continue development of a new interoperable voice communications system to replace the aging radio equipment and systems currently in use across the metropolitan area. LA-RICS has determined that, absent repeal or modification of Section 6103, the only viable approach is to deploy a hybrid 470-512 MHz/700 MHz narrowband system, though it would be a very expensive and complex deployment. A hybrid approach would provide a logical path to operate a full public safety grade communications system in both bands, and allow for a gradual migration from 470-512 MHz within the time period required by the Act. However, there is not adequate 700 MHz public safety narrowband spectrum currently allocated for this interim approach to succeed. Thus, LA-RICS has filed a Request for Waiver seeking access to 700 MHz narrowband reserve spectrum.⁶ Even if granted, however, there will still be a substantial spectrum shortfall both for the interim period and especially in the long run should public safety be forced to relinquish the T-Band as currently required by law. Therefore, LA-RICS would strongly support efforts to allocate new spectrum resources for public safety to address the loss of the T-Band. If adequate spectrum resources should not be made available, LA-RICS respectfully requests that the Commission support Congress revisiting the forced migration of public safety from the T-Band.

Implementing the hybrid T-Band/700 MHz narrowband approach will be significantly more expensive and complex than the exclusive T-Band system originally conceived by LA-RICS. Additional funding will be needed, well in advance of any forced relocation from T-Band or distribution of auction revenue. In any event, as discussed in the NPSTC Report, any potential auction revenue from the T-Band will be severely limited by other spectrum allocations

⁶ Request for Waiver of Section 90.531(b)(2) filed by Los Angeles Regional Interoperable Communications System Joint Powers Authority (Dec. 7, 2012); *Public Notice*, DA 13-39 (Jan. 11, 2013).

and uses in the band.⁷ Thus, LA-RICS would strongly support new and more timely funding to offset the costs associated with forced relocation from the T-Band.

CONCLUSION

LA-RICS has identified a system design that accommodates, to the extent possible, the forced migration out of the T-Band, though it assumes that additional spectrum and funding is made available. Therefore, LA-RICS urges the Commission and other policy makers to address the issues discussed above and in the NPSTC Report, with the goal of promoting interoperable radio communications to serve the needs of first responders and the public.

Respectfully submitted,



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⁷ NPSTC Report at 59.